

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q72135

Tadashi YONEDA, et al.

Appln. No.: National Stage Entry of PCT/JP2003/012087

Confirmation No.: 5118

Group Art Unit: not yet assigned

Filed: March 23, 2005

Examiner: not yet assigned

For: PRODUCTION METHOD FOR ITURIN A AND ITS HOMOLOGUES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents in the ISR should accompany the papers received from the International Bureau. However, applicant will be glad to furnish copies upon request. A copy of the other listed documents except for U.S. patents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT
National Stage Entry of PCT/JP2003/012087

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP2003/012087 dated March 8, 2004), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.


In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

English language abstracts, submitted herewith, constitute concise statements of relevance for examined Japanese Patent Publication No. 63-20519 (corresponding to JP-A-61-289898 for Japanese Patent Application No. 60-130338) and Japanese Patent Application Laid-Open No. 2002-176993, which are cited and discussed on pages 2-3 of the present application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,


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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 23, 2005

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	National Stage Entry PCT/JP2003/012087
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Filing Date	March 23, 2005
First Named Inventor	Tadashi YONEDA
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	Q72135

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 5,470,827		11/28/1995	Tanaka et al
		US 5,494,809		2/27/1996	Tanaka et al

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	98/50422	A	11/12/1998	MANKER DENISE CAROL	
		WO	03/013251	A	2/20/2003	TSUZUKI TOSHI	
		EP	646 649	A	4/5/1995	HIGETA SHOYU KK	
		JP	59-212416	A	12/1/1984	RIKAGAKU KENKYUSHO	Abstract
		JP	63-20519	B2	4/27/1988	AGENCY OF IND SCIENCE & TECHNOL	Abstract
		JP	2002-176993	A	6/25/2002	SHOWA DENKO KK	Abstract

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		DATABASE CA 'Online! CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; TAKAZANE, SHIGERU ET AL: "Influences of Bacillus species in shoyu koji on shoyu brewing. 1. Isolation and identification of antifungal antibiotics producing bacteria" retrieved from STN Database accession no. 128:281993 XP002270870 abstract -& NIPPON SHOYU KENKYUSHO ZASSHI (1998) , 24 (2) , 77-82 , XP008027724	
		DATABASE CA 'Online! CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; TAKAZANE, SHIGERU ET AL: "Influences of Bacillus species in shoyu koji on shoyu brewing. 2. Influences of antifungal Bacillus amyloliquefaciens on shoyu brewing" retrieved from STN Database accession no. 130:37495 XP002270871 abstract -& NIPPON SHOYU KENKYUSHO ZASSHI (1998) , 24 (6) , 341-346 , XP008027722	
		HBID CHOUKRI ET AL: "Influence of the production of two lipopeptides, iturin A and surfactin S1, on oxygen transfer during Bacillus subtilis fermentation" APPLIED BIOCHEMISTRY AND BIOTECHNOLOGY, vol. 57-58, no. 0, 1996, pages 571-579, XP008027727 ISSN: 0273-2289	
		SHODA M: " PRODUCTION OF MICROBIAL PESTICIDE IN SUBMERGED AND IN SOLID STATE FERMENTATIONS" MEDEDELINGEN - FACULTEIT LANDBOUWKUNDIGE EN TOEGEPASTE BIOLOGISCHE WETENSCHAPPEN, UNIVERSITEIT GENT, GENT, BE, vol. 64, no. 5A, 1999, pages 275-280, XP001126255 ISSN: 1373-7503	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.

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		US			
		US			
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		US			

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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		OHNO AKIHIRO ET AL: "Production of the antifungal peptide antibiotic, iturin by Bacillus subtilis NB22 in solid state fermentation" JOURNAL OF FERMENTATION AND BIOENGINEERING, vol. 75, no. 1, 1993, pages 23-27, XP008027721 ISSN: 0922-338X	
		PHAE C-G ET AL: "INVESTIGATION OF OPTIMAL CONDITIONS FOR FOAM SEPARATION OF ITURIN AN ANTIFUNGAL PEPTIDE PRODUCED BY BACILLUS-SUBTILIS" JOURNAL OF FERMENTATION AND BIOENGINEERING, vol. 71, no. 2, 1991, pages 118-121, XP008027720 ISSN: 0922-338X	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.